

07-57
Commissioner Jonathan S. Adelstein
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

AUG 13 2007

Dear Commissioner Adelstein:

I am writing in opposition to the proposed merger of XM Satellite Radio and Sirius Satellite Radio.

Although I am a lawyer, I do not purport to be an expert on antitrust law. But it does not take an expert to recognize that the merger of the only two satellite radio companies would be contrary to antitrust law and not in the public interest. The antitrust law is designed to promote competition and consumer choice in the marketplace. The merger of XM and Sirius would eliminate competition in the satellite radio marketplace by reducing the number of providers from two to one. In the absence of competition, consumers would have no choice of providers. They would be at the mercy of a monopoly provider who could dictate prices and programming without regard to consumer preferences.

In addition to creating a monopoly, approval of the XM and Sirius merger would establish a dangerous precedent. The affect of the decision would extend beyond the satellite radio industry. It would be seen as a green light to consolidation in other sectors of the telecommunications industry. If this merger is approved based on the premise that satellite radio competes against other forms of technology such as AM/FM radio, Internet radio or iPods, there will be no stopping other telecommunications providers from merging. Clear Channel will be empowered to buy even more radio stations, Comcast will begin merger talks with Time Warner Cable, and Apple will try to take over any company that poses a threat to its dominance in the portable music player market.

For these reasons, I urge you to vote against this merger.

Sincerely,

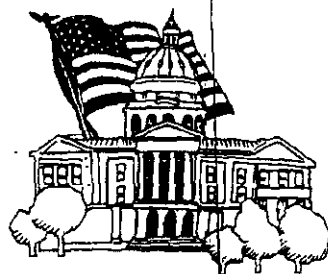

Matthew McGovern

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Leadership for
a better
South Dakota!

FRANK J. KLOUCEK

District #19 State Senate
Bon Homme - Hutchinson - Douglas - Turner
29966 423rd Ave.
Scotland, South Dakota 57059
605-583-4468



August 4th 2007

Commissioner Jonathan S. Adelstein
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

AUG 13 2007

Dear Commissioner Adelstein:

As a family farmer and a state senator, I have strongly opposed corporate consolidation in the meat packing industry. I am also opposed to consolidation in the media sector. That is why I am writing to urge you to vote against the proposed merger of XM and Sirius satellite radio companies. This merger would be nothing but a government-sponsored corporate bailout which would hurt consumers and completely stifle any potential competition in the satellite radio market.

When the FCC first granted licenses to these companies in 1997, there was a specific prohibition against merging. While nothing has changed in the marketplace - XM and Sirius remain the only two providers of satellite radio - the companies claim to need this merger to stay afloat. Merging might help the companies in the short run, but they still have multi-year, multi-million dollar contracts to fulfill - having signed such prominent, expensive personalities as Howard Stern - and leaving their subscribers to pick up the bill.

Most economists will tell you that creating a monopoly will drive up costs. The facts are simple - once there is no choice of satellite radio providers, the monopoly can charge what it pleases. From what I have read, the companies are not only planning to continue offering "basic" service, but will also offer more expensive packages that will most likely include many channels consumers had previously enjoyed with their original service at a lower price. To make matters worse, this merger could harm reception quality since each service has a limited spectrum that is currently operating at maximum capacity. This is particularly bad for rural subscribers who already have few choices in local programming.

As you investigate this issue on your own, I am certain you will agree that this merger needs to be rejected.

Sincerely,

Senator Frank Kloucek

Senator Frank Kloucek

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Commissioner Jonathan S. Adelstein
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Commissioner Adelstein:

AUG 13 2007

As a member of the Board of Directors of the Friends of South Dakota Public Broadcasting, I am writing to urge you to vote against the proposed merger of XM Satellite Radio and Sirius Satellite Radio.

Allowing the only two satellite radio providers in the nation to merge would be detrimental to National Public Radio and its member stations that develop and distribute programming to satellite radio subscribers. Sirius currently offers two channels of NPR programming and XM offers one channel containing programming from a variety of public radio producers. If the merger is approved, the combined company may decide to seek efficiencies by reducing the amount and quality of public radio programming available to its subscribers. Consequently, NPR and its member stations would have fewer opportunities to distribute programming to the satellite radio market.

More importantly, the proposed merger would be detrimental to the public because it would diminish the programming viewpoints available to the public by satellite radio. The loss of program and viewpoint diversity would have an even greater impact on subscribers in rural states like South Dakota because satellite radio provides access to a variety of stations in remote areas where AM/FM broadcast signals are often not available.

Consolidation in the satellite radio industry is clearly not in the public interest. I hope you will oppose the XM and Sirius merger.

Sincerely,


Doyle Estes

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